

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

IN RE: EMERSON ELECTRIC CO.
WET/DRY VAC MARKETING AND
SALES LITIGATION,

V.

THIS DOCUMENT APPLIES TO:

ALL ACTIONS

MDL No. 2382

Civil Action No. 4:12MD2382 HEA

CASE MANAGEMENT ORDER - TRACK 2: STANDARD

Pursuant to the Civil Justice Reform Act Expense and Delay Reduction Plan and the Differentiated Case Management Program of the United States District Court of the Eastern District of Missouri, and the Joint Proposed Scheduling Plan filed by the parties.

IT IS HEREBY ORDERED that the following schedule shall apply in this case, and will be modified only upon a showing of exceptional circumstances:

I. SCHEDULING PLAN

1. This case has been assigned to Track 2 (Standard).
2. Defendant shall provide Plaintiff updated sales information in the form agreed upon by the parties as well as supplement its discovery responses and document production in the manner agreed upon by the parties: **June 1, 2021**.
3. Plaintiffs shall supplement their discovery responses and document productions in the manner agreed upon by the parties: **June 1, 2021**.
4. Deadline for Plaintiffs to serve an updated expert report from damages expert Stefan Boedeker: **July 16, 2021**.
5. The Parties anticipate Mr. Boedeker's updated report will not contain material alterations, but will only address, as permitted by Federal Rule of Civil Procedure 26(e), new data produced by Defendant on **June 1, 2021**. If Defendant challenges Mr. Boedeker's report as extending beyond these anticipations via a motion with the Court, the Parties agree that the additional deadlines in this proposed scheduling order (following **July 16, 2021**) will be automatically stayed pending resolution or motion practice to address this unanticipated scope

of the report. The Parties are to jointly, by motion, address the requested stay with the Court by July 19, 2021.

a. Deadline for Plaintiffs to file their motion for class certification: August 16, 2021

b. Deadline for Defendant to file any updated and renewed motion(s) to exclude expert evidence. Defendant's prior such filings are deemed moot and withdrawn: **August 16, 2021.**

c. Deadline for Defendant to file its response to Plaintiffs' motion for class certification: **September 27, 2021.**

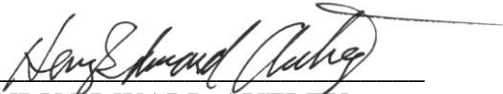
d. Deadline for Plaintiffs to file opposition(s) to any updated and renewed motions to exclude expert evidence filed by Defendant: **September 27, 2021.**

e. Deadline for Plaintiffs to file their reply in support of their motion for class certification: **November 8, 2021.**

6. Deadline for Defendant to file reply brief(s) in support of renewed and updated motion(s) to exclude expert evidence: **November 8, 2021.**

7. Oral argument on any motions to exclude expert evidence and on Plaintiff's motion for class certification is set for: **November 17, 2021, at 10:30 a.m.** in the courtroom of the undersigned.

Dated this 18th day of May, 2021.


HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE